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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,040	09/15/2006	Moon-Key Han	P58142	5750
8439 7590 03/08/2010 ROBERT E. BUSHNELL & LAW FIRM 2029 K STREET NW SUITE 600 WASHINGTON, DC 20006-1004			EXAMINER THEIN, MARIA TERESA T	
			ART UNIT 3627	PAPER NUMBER
			NOTIFICATION DATE 03/08/2010	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/593,040

Applicant(s)

HAN, MOON-KEY

Examiner

MARISSA THEIN

Art Unit

3627

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/GS/US)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on September 15, 2006 is being considered by the examiner.

Drawings

The drawings filed on September 15, 2006 are acceptable.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 3 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,886,746 to Edwards.

Regarding claim 3, Edward disclose the automatic calculator (Figure 1) which is characterized by: the input system which is equipped with conveyor switch used for the transport of the purchased articles (col. 5, lines 11-45; col. 8, lines 33-36); the output system which is equipped with conveyor at the front and Signal part at the side which gives alarm when the weight measured by Weighing Machine No. 1 and that by Weighing Machine No. 2 are different each other, as controlled by control device (Figure 2; col. 4, line 52-col. 5, line 11; col. 9, lines 15-24; Figure 3; col. 9, lines 15-24; col. 7, lines 35-58; col. 8, lines 19-37).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,886,746 to Edwards and in further view U.S. Patent No. 5,222,445 to Capraro.

Regarding claim 1, Edward discloses an automatic calculator unit (Figure 1) which consists of: Article Information Checking Part where the article information is inputted by bar-code (col. 4, lines 42-44; col. 6, lines 11-24); Input device composed of button input parts to select stages for the calculation of payment amount (col. 10, lines 37-46; col. 13, lines 11-25); Display Part where the inputted article information and stage information are displayed (col. 9, lines 5-14); Output Device which is composed of

Output Parts to print out receipts and others (col. 10, lines 37-46; col. 13, lines 11-25); Control Device (processing unit) which controls output device after comparing the information with that from input device and checks there the weighing measured at weighing machine No. 1 and weighing machine No.2 (Figure 3; col. 9, lines 15-24). Sato discloses Input device is composed of - Weight Measure Part which is composed of Weighing Machine No. 1 on the left side of calculation board to check the weight of purchased articles and Weighing Machine No. 2 to check the weight of purchased articles (col. 4, line 52-col. 5, line 11; col. 9, lines 15-24); and Cash Payment Window and Credit Card Payment Window (col. 10, lines 37-46; col. 13, lines 11-25); and Output device is composed of Cash Payment Balance to refund changes after receipt of cash (col. 10, lines 37-46; col. 13, lines 11-25).

However, Edward does not disclose Entry Isolation Part and Exit Isolation Part to open or close the entry and exit gates.

Capraro, on the other hand, teaches Entry Isolation Part and Exit Isolation Part to open or close the entry and exit gates (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the unit of Sato, to include Entry Isolation Part and Exit Isolation Part to open or close the entry and exit gates, as taught by Capraro, in order to provide a security structure containing an automatic teller machine which is accessible for use by the public but is secure from tampering and theft when in its closed position (Capraro, col. 2, lines 10-14).

Regarding claim 2, Edward discloses the purchaser to make payment after the purchased articles are put on Weighing Machine No. 1 and to prevent the purchaser from payment after the articles are removed from Weighing Machine No. 2 after previous payment through the control device (col. 7, lines 35-58; col. 8, lines 19-37).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 2003/0226891 to Sato discloses an article data reading apparatus with a first display receiving operational entry from a customer or store clerk. The apparatus includes a first and second article tables having first and second sales built-in.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA THEIN whose telephone number is (571)272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marissa Thein/
Examiner, Art Unit 3627
March 1, 2010